	Application No.	Applicant(s)	!
Notice of Allowability	10/743,830	TSUCHIYA ET AL.	
	Examiner	Art Unit	
	Sang Nguyen	2886	
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication IGHTS. This application is subject to	plication. If not includ will be mailed in due	ed course. THIS
1. $\boxtimes$ This communication is responsive to <u>Amendment on 10/03</u>	<u>3/07</u> .		
2. The allowed claim(s) is/are <u>1-17</u> .			
<ul> <li>3.</li></ul>	e been received. e been received in Application No cuments have been received in this  of this communication to file a reply MENT of this application.  iitted. Note the attached EXAMINER es reason(s) why the oath or declara st be submitted. son's Patent Drawing Review ( PTO s Amendment / Comment or in the C 84(c)) should be written on the drawin he header according to 37 CFR 1.121( sit of BIOLOGICAL MATERIAL r	complying with the re 'S AMENDMENT or Nation is deficient.  948) attached  Office action of the dolor in the front (not the dolor).	quirements NOTICE OF
Attachment(s)  1. Notice of References Cited (PTO-892)  2. Notice of Draftperson's Patent Drawing Review (PTO-948)  3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date  4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. Notice of Informal P 6. Interview Summary Paper No./Mail Dat 7. Examiner's Amendr 8. Examiner's Stateme 9. Other	(PTO-413), te ment/Comment	

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## **DETAILED ACTION**

## Response to Amendment

Applicant's response to amendment on 10/03/07 has been entered. It is noted that the application contains claims 1-17 by the amendment on 10/03/07.

## Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

After reviewing of application's remark with pages 9-10 filed on 10/03/07 is overcome the prior art of the record.

Claims 1-17 are allowed over the prior art.

As to independent claims 1 and 9 are allowable over the prior art for at least the reason that the prior art of record, taken alone or in combination, fails discloses or render obvious a pattern inspection apparatus and method comprising all the specific elements with the specific combination including of a scanning unit configured to scan the first and second inspection regions to a first direction using the imaging device to obtain first and second measurement patterns representing at least parts of the first and second inspection regions; a comparing unit configured to compare the first measurement pattern and the second measurement pattern with each other to determine presence or absence of a defect formed on the sample; and a control unit configured to control a scanning condition for scanning the second inspection region by the imaging device so as to keep the same with the scanning condition when the first inspection region is scanned by the imaging device in combination with the rest of the

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limitation of claims 1 and 9. The dependent claims 2-8 are allowed by virtue of their dependence on claim 1. Also, the dependent claims 10-17 are allowed by virtue of their dependence on claim 9.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Nguyen whose telephone number is (571) 272-2425. The examiner can normally be reached on 9:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tarifu Chowdhury can be reached on (571) 272-2800 ext. 86. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 26, 2007

Sang III Nguyen Primary Patent Examiner Art Unit 2886